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Paper No. 11

In re Application of

Junji Oishi *et al*

Application No. 09/195,595

Filed: November 18, 1998

Attorney Docket No. MAT-6750

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: DECISION ON PETITION
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This application has recently been referred to the undersigned for consideration of the petition filed on June 8, 2001 by which petitioners request withdrawal of the holding that this application stands abandoned for failure to file a reply to the Office letter dated October 10, 2000. No fee is required for the petition.

The petition is granted.

Petitioners allege that a timely reply was in fact filed. This allegation is supported by a copy of the reply, which has affixed thereto a 37 CFR 1.8(a) certificate of mailing dated October 17, 2000. Taken together with the statement in the petition that this reply was in fact filed, the showing in support of the allegation that a timely reply was in fact filed satisfies the requirements of 37 CFR 1.8(b), and clearly establishes that this application was not in fact abandoned.

Accordingly, the Notice of Abandonment is hereby vacated, the holding of abandonment is withdrawn, and the application is restored to pending status. The application is being forwarded to the examiner for action on the reply filed on October 17, 2001.

PETITION GRANTED.

E. Rollins-Cross, Director, Patent
Examining Groups 3710 and 3720

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